

OPEN AND SHUT?

Wednesday, December 14, 2005

Not written in the stars

Like any good drama, the open access story is one full of twists and turns, dramatic unmaskings, and unexpected reversals of fortune. This has been so from day one, and it has been particularly so in recent weeks, as the spotlight has fallen on the Royal Society.

As [previously reported](#), on 24th November the Royal Society posted on its web site a [position statement](#) on open access. Widely interpreted as an attempt to derail the Research Council UK's proposed [policy](#) on access to research output, the statement warned that OA could be "disastrous for the research community", and cautioned against introducing "policies that force researchers to adopt new models that are untried and untested" without first exploring "the likely costs and benefits to all."

Two weeks later, on 7th December, 42 disgruntled Fellows of the Royal Society — including James Watson, the scientist who discovered the structure of DNA, and Sir John Sulston, who headed the British end of the human genome project — responded by sending an [open letter](#) to the president of the Society, Lord Rees of Ludlow. Expressing disappointment that it had taken a "largely negative stance on open access", the letter urged the Society to support, rather than seek to delay, the RCUK policy.

More evidence

In its turn, the Fellows' letter elicited a [reply](#) from Lord Rees. "We certainly do not, as your letter implies," he wrote to the dissident Fellows "take a 'negative stance' to open access. We are simply concerned that open access is achieved without the risk of unintended damage to peer-review, quality control and long term accessibility of the scientific literature."

Lord Rees went on to list a number of specific issues he had with open access, and concluded that before the proposed RCUK policy was introduced "[W]e believe that a study should be commissioned to assess the relative merits of the various models that have been proposed under the rather broad banner of 'open access'".

OA advocates were quick to point out that since the RCUK was proposing self-archiving, not new publishing models, the Royal Society's stance was based on a misunderstanding. "[M]ost of the RS doubts focus on the viability of OA journals even though the RCUK proposal mandates deposit in OA archives, not submission to OA journals," commented a frustrated [Peter Suber](#), on his blog [Open Access News](#). "I can't count the number of times this misunderstanding has been corrected."

On the [American Scientific Open Access Mailing List](#) (AmSci), meanwhile, OA advocate Stevan Harnad was reminding list members that physicists have in any case been posting their papers into [arXiv.org](#) for fourteen years without any negative impact on journals. For that reason, he said, any further studies would be redundant, and would unnecessarily delay open access. "If 14 years of evidence of peaceful co-existence between self-archiving and journal publishing is not evidence enough, what is?" he [asked](#).

Calls for more evidence, however, have become a mantra that no self-respecting supporter of the existing system can resist. Speaking to the BBC's [John Sudworth](#), for instance, the president of the Institute of Physics (and former vice president of the Royal Society) Sir John Enderby, said: "What the Royal Society has said — which seems to me to be blindingly obvious — [is] that before we abandon an economic model which has served us terribly well over the years we should make sure that any replacement is sustainable."

Once again, Sir John was clearly focused on economic models, not self-archiving. In short, the two sides appeared destined to continue talking through each other.

Greater vehemence

What was new in the discussion, however, was a greater vehemence. After asking

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7h

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the Royal Society for a comment on the Fellows' letter, for instance, I received a surprise e-mail from the Royal Society's senior manager of policy communication, Bob Ward.

Apparently convinced that he was unmasking the real villain of the piece he wrote: "[Y]ou may be interested to learn that the open letter from Fellows of the Royal Society on open access appears to have been at least partly co-ordinated by BioMed Central, a commercial publisher of open access journals. Matthew Cockerill, the publisher of BioMed Central, registered the domain name of the web page at which the open letter was posted for signature."

Moreover, when the letter had been sent to the Society, Ward added, it had named as contact person the marketing communications manager at BioMed Central, Grace Baynes.

The implication, it appeared, was that by co-ordinating the letter BMC had acted inappropriately, presumably on the grounds that it stood to gain financially from the successful implementation of the RCUK proposal.

"It is no secret that BioMed Central and others helped to co-ordinate the letter (for example by registering the domain name that was used)," responded Baynes, adding indignantly: "Given that many of the FRS's concerned are on our boards, or edit our journals, it was in no way inappropriate for us to do so."

As allegations about its involvement in the letter began to appear in news stories, OA advocates also leapt to BMC's defence, pointing out (again) that since the RCUK proposal called for self-archiving, not OA publishing, BMC had little to gain from co-ordinating the letter.

"I know that the Royal Society is confused about this issue, but in fact the RCUK policy does not mandate submission to OA journals, only deposit in OA archives," repeated Suber on his blog. "BMC has a financial interest in OA journals but not in OA archiving (apart from its small Open Repository service)."

Shot in the foot

As the debate raged it appeared clear that the Royal Society was in danger of shooting itself in the foot. One of the signatories of the Fellows' letter, Robin Lovell-Badge, for instance, told *The Scientist* that while he hadn't been aware that the letter was coordinated by BMC, it would have made no difference if he had known. "In fact it's rather insulting to [suggest] that I've been manipulated by BioMed Central," he added, "because I haven't."

Meanwhile, the number of Fellows signing the letter was continuing to grow. Within a week 61 Fellows (there are 1,274 Fellows of the Royal Society) had signed, including five Nobel Prize winners.

By now OA advocates were also keen to turn the allegation around, pointing out that the Royal Society had far more to gain from sinking the RCUK policy than BMC had from supporting it. "The Royal Society has a financial interest in maintaining subscriptions," commented Suber on his blog. "I believe that its subscriptions are not threatened by the RCUK policy. But if it wants to argue that its fears are justified, then it has to start by admitting its financial interest, which is much stronger than BMC's."

In his usual colourful way, Harnad speculated that the only people in the Royal Society who actually had a problem with open access were those working in its journal publishing division. "I'll bet this is not really the voice of the RS at all: It's just the pub-ops tail wagging the regal pooch."

Like a divorcing couple arguing over who gets the kids, both sides were now clearly locked in a dance of death, hurling accusations and insults at each other.

This reached its apotheosis when Sir John implied that open access was akin to communism. "I actually know of no economic model, apart from some extreme Marxist one," he said in an aggrieved voice to the BBC's John Sudworth, "where it is the producer who pays rather than the consumer."

Public good issue

In invoking the bogeyman of Karl Marx, Sir John appeared to underline how out of touch defenders of the traditional journal publishing system had become. However, when I e-mailed him to point out that RCUK was not proposing OA publishing, but self-archiving, and asked if he disagreed with the claim that 14 years of self-archiving without disastrous consequences suggested there was no threat to journal subscriptions, he replied: "If the version of record (as opposed to the partially edited and refereed version) were freely available, then with Google-type search engines all

Alternatives, explained why he believes the var...



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Broadening the Pool

We are today seeing growing dissatisfaction with the pay-to-publish model for open access. As this requires authors (or their funders or ins...

content can be both accessed and indexed, and [as a consequence] subscription income would dry up."

The truth, perhaps, is that publishers, and their apologists, understand only too well the difference between self-archiving and OA publishing, but have concluded that it suits their purposes better to focus on OA publishing.

On the other hand, one could argue that in constantly insisting that self-archiving offers no threat to publishers, OA advocates are being somewhat disingenuous. When the question was put directly to Robin Lovell-Badge by the BBC, he replied: "Clearly subscriptions will fall, yes."

And it's not as if OA advocates haven't thought it through. As Harnad [put it](#) on AmSci: "Even if the imaginable risks were eventually to prove to be real, and self-archiving were to lead to cancellations and a transition to the OA publishing model, would *that* be grounds for renouncing the demonstrated benefits to research impact and progress?"

In other words, this is essentially a public good issue, not a question of whether or not OA represents a threat to science publishers. And who better to referee issues of the public good than the Government? Unfortunately, the UK Government appears to be deaf in one ear.

Level playing field?

We should recall that when, in November 2004, the Government rejected the UK Science & Technology Select Committee's recommendation to support open access it said it was doing so on the grounds that it believed its role should be to "[facilitate a level playing field](#)".

It now seems that what the Government meant to say was "Let's support the status quo". In any case, it has certainly not operated a level playing field when listening to the two sides of the OA debate — as evidenced by a recent [Freedom of Information Act](#) request made to the UK's Department of Trade and Industry (DTI) by [SPARC Europe's](#) David Prosser.

Prosser asked the DTI how often the Parliamentary Under-Secretary of State for Science and Innovation for the UK, and head of the DTI, [Lord Sainsbury of Turville](#) had met with publishers and researchers in the past two years.

This time the unmasking was far more interesting — for what Prosser learned is that Lord Sainsbury has a special place in his heart for Sir Crispin Davis, the CEO of the world's largest STM publisher [Reed Elsevier](#).

As Suber [explained](#) on his blog, the FOIA request shows that "Lord Sainsbury met with OA opponents roughly twice as often as with OA proponents, and met with the Reed Elsevier CEO three times more often than with any other stakeholder." The FOIA documents also show, added Suber, that "DTI apparently undertook no analysis of its own on OA."

Far from being level, it seems, the playing field is heavily tilted in favour of rich and powerful publishers.

Bamboozled

There is here a telling parallel with the drama being played out in the music and movie industries. Confronted by the challenges posed by the Internet, not least the threat of P2P technologies, the entertainment industry has — like science publishers — been desperately clinging to the past.

To this end, David Holtzman recently argued in [Business Week](#), "key industries [have] bamboozled Congress and much of the public into believing that their wares deserve the same protection that was awarded to say, a patent for blast furnaces in the 20th Century."

In the same way, it seems, science publishers have bamboozled the British Government, whose science policy is managed by the Department of Trade & Industry. All too conscious, no doubt, that STM journal publishing makes a significant contribution to the UK economy, the DTI has gone along with the thesis that industrial-age business models need to be protected from the harsh winds of the information age.

What this ignores, of course, is that businesses need to adapt to new conditions, not seek to outlaw or ban them when they pose a threat to the settled world of industry incumbents. Indeed, argues Holtzman, the consequences of doing so are "not just ethical or aesthetic. They are financial — and eventually will lead to economic isolation."



Open Access:
What should
the priorities be
today?

This year marks
the 15th
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Open Access Initiative
(BOAI), the meeting that led
to the launch of the open
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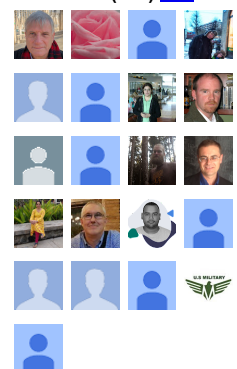
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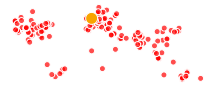
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As Holtzman points out, while protectionism may provide a short-term lifeline to individual companies and industries, it often does so by risking the future prosperity of national economies, particularly those economies most heavily invested in outdated business models.

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And, ironically, in the information age those economies most wedded to outdated business models are increasingly not the developing nations, but the developed nations.

Inconsequentiality

Holtzman warns, therefore, that as we move from the industrial age to the information age, or from atoms to bits, developed countries "must avoid the trap of applying Industrial Era principles to businesses enabled by the Information Age — or face the consequence of becoming inconsequential."

In short, if developed nations insist on clinging to industrial-age business models then information-age savvy developing nations are likely to out-compete them, or perhaps merely bypass them.

For science publishers the signs are already there. On the same day that the Fellows' letter was sent (7th December), for instance, [SciDev.Net](#) reported that the Chinese government has launched a [campaign](#) to encourage Chinese researchers to publish their results in domestic — rather than international — journals, and to place their results in free archives.

Explaining the reason for the campaign, Wu Bo'er, director of the Department of Facilities and Financial Support of the Chinese Ministry of Science and Technology" told [SciDev.NET](#): "At present, when the results of government-funded research is published in foreign journals, Chinese researchers often have to pay reviewing fees for their papers to be published in these journals. After that, China's institutes and other researchers have to spend more than 100 million yuan (US\$12.4 million) each year to buy these foreign journals."

Good news

The good news is that, in the US at least, politicians in the developed world are beginning to heed the dangers. All too conscious that publishers succeeded in pressuring NIH director Elias Zerhouni to [water down](#) the [NIH policy](#) on enhancing public access to research — which policy Congress had instructed NIH to develop — there have been a number of recent new initiatives focused on fixing the problem.

Most significantly, on 7th December (there's that date again!), US Senator Joseph Lieberman (D-CT) introduced [a bill](#) into the US Senate that would mandate OA to publicly-funded medical research within four months of its publication.

Officially titled the American Centre for Cures Act of 2005, but informally known as the CURES Act, the bill is concerned with more than just access to research. However, as Suber [explained](#) on his blog, it goes beyond the NIH access policy in several important ways:

"It requires free online access and does not merely request it. It shortens the permissible delay to four months. It extends the OA policy beyond the NIH to research funded by the Centers for Disease Control and Prevention and the Agency for Healthcare Research. Finally, it explicitly says that non-compliance may be a ground for the funding agency to refuse future funding."

Time will tell whether CURES will succeed. Either way, we can certainly expect a few more twists and turns in the unfolding drama of open access before the play is done.

An important turning point will surely come when governments fully accept that the public good is far better served by supporting open access than by listening to publishers' lobbyists — and then enact the necessary legislation to make it happen.

But the final turn in the plot will probably not come until science publishers accept that they are not — as they appear to believe — indispensable. As the founder of BioMed Central Vitek Tracz [put it](#) when talking to me last year, "It is not written in the stars that we have to have science publishers, and it is not a moral imperative for us to defend them."

Clearly most science publishers still have some way to go in their thinking. Indeed, it turns out that the reason why the final RCUK policy has yet to be announced is because it is still negotiating with the Royal Society.

Now we know why that venerable institution published a position statement in November!



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2 comments:

Anonymous said...

This is one of the best articles I have read about open access (OA). Both open access journals and open access archiving is clearly a threat to established journals, many of whom are making excessive profits by selling access to research that was paid for by tax payers.

What will ultimately decide the issue in favor of OA is neither publishers, societies nor governments but scientists. The ultimate goal of a scientist is (i) to have his/her research read and cited by many others and (ii) publish in prestigious journals. These two are related in that more prestigious journals are more widely read and cited and more widely read and cited journals are more prestigious.

At this stage, OA journals are mainly competing with mid level traditional journals with a smaller subscription base, and they are doing so very successfully. When a suitable OA journal exists, there is no reason to send a paper to a traditional journal that only people at universities with large library budgets can read. Given equal prestige, it is in the interest of scientists to publish in open access journals since more people can then access and read the paper. That will in turn increase the citation rate and the prestige of OA journals compared to equivalent traditional journals. Now, prestige has to be gradually built up over many years, and OA journals have already started that climb. Most of the prestigious ones are still the old traditional journals, but there will be a gradual shift towards open access journals.

The hard question that the scientific societies need ask themselves is whether they want to cling onto their subscription base revenue stream as long as they can seeing OA journals bypass their journals in prestige or whether they should switch their journals to OA in order to maintain them as the top quality journals in their respective fields. For commercial publishers it is much easier to decide. They need to milk their cow as long as they can, and then it will be over.

December 19, 2005 2:00 pm



Richard Poynder said...

Dear Martin,

Thanks for this comment. I agree with your analysis, although we should perhaps add that by self-archiving papers that they have published in prestigious journals, researchers can enjoy the benefits of continuing to use traditional subscription-based journals while also obtaining the higher impact advantage of making those papers freely available on the Web.

You are right to point to the different issues facing learned societies and commercial publishers. I suspect that the greatest danger confronting learned societies today is that they could alienate their members to the point where their whole *raison d'être* becomes moot.

I also agree that it is researchers themselves who are best placed to facilitate the transition to OA. However, it is because too few of them have shown themselves willing to embrace the advantages offered by OA that so much energy is being expended on trying to persuade research funders to mandate them to do so. A mandate is now widely viewed as the quickest and most effective route to OA. But the fear must be that since funders are showing themselves to be so reluctant to introduce effective mandates we may need to wait until individual researchers make the decision for themselves.

December 20, 2005 9:31 am

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